

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MARCH 5, 1975

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, March 5, 1975, in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen - EHRHARDT, HUGHES, KATNICH, SCHAFFER, and PINKERTON (Mayor)</p> <p>Absent: Councilmen - None</p> <p>Also Present: City Manager Graves, Assistant City Manager Glenn, City Attorney Mullen, Planning Director Schroeder, and Public Works Director Ronsko</p>
INVOCATION	The invocation was given by Councilman Ehrhardt.
PLEDGE	Mayor Pinkerton led the Pledge of Allegiance to the flag.
MINUTES	<p>Councilman Katnich moved the minutes of February 19, 1975 be approved as written and mailed. The motion was seconded by Councilman Schaffer and carried.</p> <p>Councilman Schaffer moved the minutes of February 24, 1975 be approved as written and mailed. The motion was seconded by Councilman Ehrhardt and carried.</p>
EASEMENT VACATION LOT 43, WILLOW GLEN UNIT NO. 1	<p>Notice thereof having been published and posted in accordance with law and affidavits of publication and posting being on file in the office of the City Clerk, Mayor Pinkerton called for the public hearing on the proposed vacation of an easement located on Lot 43, Willow Glen Subdivision, Unit No. 1 (1620 Edgewood Drive).</p> <p>Public Works Director Ronsko introduced the matter and a diagram of the proposed easement to be vacated was presented for the Council's scrutiny.</p> <p>The Council was informed that the Planning Commission in action taken at a Planning Commission meeting held February 10, 1975 recommended the approval of the request to vacate the easement located on Lot 43, Willow Glen Subdivision, Unit No. 1 (1620 Edgewood Drive), adding that after reviewing submittals from the Pacific Telephone Company, Pacific Gas and</p>

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ORDER TO
VACATE ADOPTED

Electric, Lodi Cable TV, and the City's Utility Department, the Planning Commission determined that no public need existed for the easement.

There was no one present in the audience wishing to speak on this matter, and the public portion of the hearing was closed. On motion of Councilman Schaffer, Ehrhardt second, the Council adopted an Order vacating the easement located in Lot 43, Willow Glen, Unit No. 1 (1620 Edgewood Drive).

CONSENT
CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Schaffer, Katnich second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$386,314.59.

APPROVED PLANS
AND SPECS FOR
60-12 KV SUBDIVI-
SION EQUIP. FOR
HENNING SUB -
STATION

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR THE 60-12 KV SUBSTATION AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

WATER TABLE IN
AREA OF LODI LAKE

Mayor Pinkerton requested Director of Utilities, William Lewis, to ascertain and report to Council an approximate estimation of the water table fluctuation in the area of Lodi Lake with the boards in and out of Woodbridge Dam and to apprise Council of the electricity costs to the City in bringing the water table to the same level when the boards are out as when they are in place.

APPROVED SPECS
FOR TURF TRUCK-
STER FOR PARKS
& REC.

COUNCIL APPROVED THE SPECIFICATIONS FOR ONE TURF TRUCKSTER FOR THE PARKS AND RECREATION DEPARTMENT AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

AWARD-VINEYARD
DRIVE STORM DRAIN
& ASPEN GROVE DR.

Per report of the City Manager, bids have been received for the contract for the Vineyard Drive Storm Drain and Aspen Grove Drive Storm Drain as follows:

RES. NO. 4039

Minutes of March 5, 1975, continued

<u>BIDDER</u>	<u>Reinforced Concrete Pipe</u>	<u>Cast-in-place Concrete Pipe</u>
Fisher Brothers, Inc.		\$15,481.00
Valley Irrigation		\$15,750.20
Teichert Construction		\$16,728.00
Parrish, Inc.	\$16,914.00	
Wayne Fregien	\$18,848.80	
William Burkhardt	\$19,029.04	
Floyd Johnston Const. Co.		\$21,832.00
William Morris	\$22,791.48	
A & E Pipe Lines, Inc.	\$24,095.60	
Weiss Brothers	\$32,816.28	

Report and recommendation of the City Manager indicated that the award be made to Fisher Brothers, Inc., the low bidder, in the amount of \$15,481.00.

RESOLUTION NO. 4039

RESOLUTION AWARDING THE CONTRACT FOR THE VINEYARD DRIVE STORM DRAIN AND ASPEN GROVE DRIVE STORM DRAIN TO FISHER BROTHERS, INC., THE LOW BIDDER, IN THE AMOUNT OF \$15,481.00.

AWARD-1975
CAB & CHASSIS-
POUND VEHICLE

City Manager Graves presented to the Council a report listing the bids received for a 1975 1/2 ton Cab and Chassis to be used as a Pound Vehicle as follows:

<u>Bidder</u>	<u>Amount</u>
Courtesy Lincoln Mercury	\$3,461.65
Sanborn Chevrolet	\$3,695.60
Geweke Ford	\$3,761.19
Weil Motors	\$3,921.10

RES. NO. 4040
13-12(a)

Report and recommendation of the City Manager reflects that the award be made to the low bidder, Courtesy Lincoln Mercury in the amount of \$3,461.65.

RESOLUTION NO. 4040

RESOLUTION AWARDING THE CONTRACT FOR A 1975 CAB AND CHASSIS TO BE USED AS A POUND VEHICLE TO COURTESY LINCOLN MERCURY, THE LOW BIDDER, IN THE AMOUNT OF \$3,461.65.

Per report of the City Manager, bids were received for the contract for a dump truck for the Public Works Department as follows:

AWARD-DUMP
TRUCK FOR PUBLIC
WORKS

<u>BIDDER</u>	<u>AMOUNT</u>
Courtesy Lincoln Mercury	\$12,517.71
Geweke Ford	\$12,985.00

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Report and recommendation of the City Manager indicates that the award be made to Courtesy Lincoln Mercury, the low bidder, in the amount of \$12,517.71.

RESOLUTION NO. 4041

RES. NO. 4041

RESOLUTION AWARDING THE CONTRACT FOR ONE DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT TO COURTESY LINCOLN MERCURY, THE LOW BIDDER, IN THE AMOUNT OF \$12,517.71.

ACCEPT BUILDING
DEMOLITION-
11 S. GARFIELD ST.
JL-24

City Manager Graves reported to the Council that on February 5, 1975 the contract for the demolition of an unsafe building located at 11 South Garfield Street, Lodi, was awarded to the American Demolition Co. of Sacramento. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE WORK DONE UNDER CONTRACT FOR "BUILDING DEMOLITION, 11 SOUTH GARFIELD STREET, LODI", AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

REPORTS OF THE
CITY MANAGER

City Manager Graves reported to the Council that during the course of the contract for City Hall Remodel, Project III, it was necessary to make minor modifications in the electrical system and do additional painting which was not covered under the contract. The City Manager presented Change Order No. 1 for City Hall Remodel, Project III in the amount of \$557.00 covering these modifications. The original contract amount was \$41,749.00, and with this proposed change order, the final contract price will be \$42,306.00.

CHANGE ORDER 1
FOR CITY HALL
REMODEL, PHASE
III APPROVED

City Manager Graves also apprised the Council that the contract for City Hall Remodel, Phase III was awarded to Penrose Construction Company of Santa Rosa on March 20, 1974. The contract has now been completed in substantial conformance with the plans and specifications approved by the City Council.

CITY HALL RE-
MODEL, PHASE III
ACCEPTED

On motion of Councilman Katnich, Schaffer second, Council approved Change Order No. 1, adding \$557.00 to the contract price of City Hall Remodel, Project III, and accepted work done in the contract for City Hall Remodel, Phase III, directing the Public Works Director to file a Notice of Completion with the County Recorder's Office.

AWARD-DOWNTOWN
UNDERGROUND
DISTRICT II

City Manager Graves advised the Council that bids had been received for the contract for Downtown Underground District II as follows:

RES. NO. 4042

Minutes of March 12, 1975, continued

<u>BIDDER</u>	<u>AMOUNT</u>
Pacific Engineers	\$ 91,139.45
Graffigna Electric	\$108,586.15
McGuire & Hester	\$148,148.00

The City Manager recommended that the award of contract be made to Pacific Engineers, the low bidder.

Following discussion, on motion of Councilman Hughes, Ehrhardt second, Council adopted Resolution 4042 awarding the contract for Downtown Underground District II to Pacific Engineers, the low bidder, in the amount of \$91,139.45 and approved Special Allocation Request in the amount of \$10,100.00 covering additional funds required for this project as outlined by the City Manager.

1974-75 COUNCIL
TRANSPORTATION
STUDY COMMITTEE
REPORT

11-6a/a)

Following preface of the matter and introduction of the 1974-75 Lodi Transportation Study Committee by Councilman Ehrhardt, Administrative Aide Kris Kristensen presented the 1974-75 Council Transportation Study Committee Report, highlighting the contents of the report and the recommendations therein.

Questions regarding the report were directed to Mr. Kristensen by the Council.

Appreciation was extended to the Committee by the Council for its efforts in redacting this report.

Following additional discussion on the matter, on motion of Councilman Schaffer, Katnich second, Council accepted the Report of the 1974-75 Lodi Transportation Study Committee as filed. Mayor Pinkerton then directed that this report be set as an agenda item for the regular meeting of March 19, 1975 for additional discussion and setting for hearing.

APPROVE PLANS
& SPECS
EVAPORATIVE
CONDENSERS PUB-
LIC SAFETY BLDG.

11-10

Plans and specifications for the installation of evaporative condensers for the Public Safety Building as prepared by Robert Paoluccio, Consulting Engineer of Sacramento and as authorized by Council action December 18, 1974 were presented to the Council by City Manager Graves.

Following discussion on the matter, on motion of Councilman Ehrhardt, Schaffer second, Council approved the plans and specifications for the Evaporative Condensers Addition for the Public Safety Building and authorized the City Clerk to advertise for bids thereon.

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CABLE TV RATE
INCREASE
PROPOSED

(11 22 3)

Mr. Bill Koenig, Area Manager for Lodi Cable TV addressed the Council regarding a proposed rate increase by Lodi Cable TV, which would increase rates for the first Cable TV outlet from \$5.25 to \$5.75 per month to subscribers served by overhead CATV facilities and from \$5.95 to \$6.25 per month to subscribers served through underground facilities. The company also proposes to increase its monthly rates to subscribers with extra outlets from \$.75 to \$1.00 per month for each additional outlet, and advised that certain other installation charges are proposed to be increased from \$5.00 to \$7.50.

Questions regarding the proposed rate increase were directed to Mr. Koenig by the Council, with the matter being continued to the regular Council meeting of March 19, 1975 on motion of Councilman Schaffer, Katnich second.

City Manager Graves reported that at the adjourned meeting of the Lodi City Council held on February 24, 1975 with the Lodi Unified School District Governing Board, City staff was requested to ascertain how much room was needed for vineyard equipment movements adjacent to the proposed street improvements to be made on Mills Ave. at the Millswood School Site. Staff recommended the removal of the first two rows of grape vines within the street right-of-way to allow for street improvements and turning movements of vineyard equipment.

MILLSWOOD
SCHOOL SITE
IMPROVEMENTS

(11 27 4)

The matter was discussed by Council with questions being directed to the City Manager, Public Works Director, and the City Attorney.

On motion of Councilman Schaffer, Ehrhardt second, Council approved staff's recommendation for removing the first two rows of grape vines within the street right-of-way to allow for street improvements and turning movements of vineyard equipment at the Millswood School site; authorized the City to enter into negotiations with the Lodi Unified School District regarding dedication of this property to the City of Lodi for street purposes, including a reimbursement program regarding improvements proposed to be provided by the City of Lodi at this site; and authorized the City to enter into negotiations for dedication to the City of a 17-foot wide parcel located immediately south of the school site on the west side of Mills Avenue.

REPORT ON
LEGISLATORS
RECEIVING FUNDS
FROM PUBLIC
EMPLOYEES' ASSN.

(11 27 5)

As requested by Council at the regular Council meeting of February 19, 1975, City Attorney Mullen presented to Council a copy of his letter of opinion regarding the obtaining of an injunction against any state legislator who has received a composite total of more than \$1,000 from any public

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employees' association, etc. from participating in or voting on any legislation which would grant benefits, rights, or powers not subject to the discretion and authority of locally elected officials.

After comments on the matter were heard from staff and Council, Councilman Ehrhardt moved that this matter be set for further discussion at the shirtsleeve session of March 11, 1975. The motion was seconded by Councilman Schaffer and carried.

City Manager Graves apprised the Council that on February 5, 1975, Council adopted Resolution No. 4032 awarding the bid for one 1975 compact pickup truck for the Public Works Department to the only bidder, Geweke Ford. Upon preparing various documents for registering the vehicle, it was discovered that the vehicle was a 1974 vehicle rather than the 1975 vehicle requested in the vehicle specifications.

AWARD FOR
COMPACT
VEHICLE FOR
P.W. RESCINDED

30 26

On motion of Councilman Katnich, Ehrhardt second, Council disallowed the bid of Geweke Ford Company for one 1975 compact pickup truck for the Public Works Department in the amount of \$3,136.54, thereby rescinding Resolution No. 4032 awarding the contract for one 1975 compact pickup truck for the Public Works Department to Geweke Ford Company, and authorized the readvertisement for bids for either a 1974 or 1975 compact pickup truck for the Public Works Department by the Purchasing Agent.

ANNUAL AUDIT
REPORT
RECEIVED

11 3 75

City Manager Graves presented the Annual Audit Report for year ended June 30, 1974 as prepared by Elmer Fox and Company, Certified Public Accountants. On motion of Councilman Hughes, Ehrhardt second, Council received for filing the Annual Audit Report prepared by Elmer Fox and Company.

City Manager Graves presented to Council a resolution which had been adopted by the County Board of Supervisors inviting City Councils to approve participation of community representatives in local seminars on delinquency prevention.

DELINQUENCY
PLAN
PARTICIPATION

11 7 75

Following discussion, on motion of Councilman Ehrhardt, Schaffer second, Council adopted Resolution No. 4043 supporting delinquency prevention plan participation and thereby encouraging Lodi residents to participate in local area Delinquency Prevention Seminars to be held this Spring.

RES. NO. 4043

LEASE & CON-
CESSION AGREEMENT
WITH LODI LIONS
BASEBALL CLUB
APPROVED.

11 7 75

A proposed Lease and Concession Agreement between the City of Lodi and the Lodi Lions Baseball Club, Inc. was presented to the Council by City Manager Graves for Council approval.

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Councilman Schaffer moved that the Council approve the Lease and Concession Agreement as presented and authorize the City Manager to execute the agreement on behalf of the City. The motion was seconded by Councilman Katnich and unanimously carried.

AMEND. SEC. 14-84
OF CITY CODE RE
PARKING METER
VIOLATIONS &
PENALTIES THERE-
FOR

ORD. NO. 1051
INTRODUCED

CC-47(a)

City Attorney Mullen presented for Council's scrutiny a proposed City Ordinance to amend the City Code with relation to the penalty for violating parking meter provisions of the Code, advising Council that at this time anyone who receives a citation for over-parking is charged with a misdemeanor, can plead not guilty, and demand the services of the Public Defender, with the consequent cost to the taxpayers. A recent State law now allows for violations of City ordinances to be infractions with the penalties being those amounts set forth in the proposed ordinance.

On motion of Councilman Ehrhardt, Schaffer second, the City Council introduced Ordinance No. 1051 amending Section 14-84 of the City Code regarding parking meter violations and setting forth the penalties therefor.

REPORT-TRUCK
TRAFFIC ON
TURNER ROAD

CC-48(a)

City Manager Graves presented for Council's perusal a traffic study report as prepared by the Public Works Department regarding truck traffic on Turner Road. A discussion regarding the report followed with questions being directed to the City Manager and Public Works Director Ronsko.

Council requested the matter be continued for additional surveys and data gathering during various seasons throughout the year in order to obtain a more comprehensive picture of all levels of truck traffic in that area.

PREPARATION OF
O & M MANUAL FOR
WHITE SLOUGH
EXPANSION
AUTHORIZED

CC-51(a)

The City Manager advised the Council that current State and Federal regulations for the Clean Water Grant Program require that a draft Operation and Maintenance Manual be submitted by April 1, 1975 with project plans and specifications. City Manager Graves presented to the Council a proposal which had been received from Trotter-Yoder and Associates for the preparation of such a manual for the White Slough Water Pollution Control Plant expansion at an estimated cost not to exceed \$26,600. The preparation cost of the Operation and Maintenance Manual is grant fundable.

On motion of Councilman Schaffer, Ehrhardt second, Council authorized the firm of Trotter-Yoder and Associates to proceed with the preparation of the Operation and Maintenance Manual for the White Slough Water Pollution Control Plant expansion at a cost not to exceed \$26,600.

INDUSTRIAL WASTE
MONITORING
STATION

City Manager Graves advised that the City Council at its regular meeting of February 5, 1975 authorized the preparation of plans and specifications

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for an industrial waste monitoring station which was to be located at Kettleman Lane and W.I.D. Canal. It was recommended at that time that Darrhl Dentoni and Associates of Stockton be retained to do this work. Prior to contacting Dentoni and Associates the City staff conferred with engineering consultants, Trotter-Yoder and Associates and determined that there had been major design modifications in the White Slough Water Pollution Control Plant Expansion Plans. Under the new design of the plant, all industrial waste will be taken through the headworks of the plant and the quantity of flow monitored at that point. This design modification by the City's consultants eliminates the need for the monitoring station; therefore, it will not be necessary to proceed with the preparation of plans and specifications for an industrial waste monitoring station as authorized by Council.

DOOR-TO-DOOR SOLICITATION COMPLAINTS

3:00

Councilman Schaffer expressed his concern for elderly citizens in the community who have been bothered with after-hour door-to-door solicitation, stating that it is his understanding non-profit organizations are allowed to solicit door-to-door without benefit of a business license. Councilman Schaffer directed questions regarding these complaints to City Attorney Mullen. City Attorney Mullen responded that it is almost impossible to prevent a person from making a living, and if they are a non-profit or religious group, from exercising their right of freedom of speech in handing out circulars and suggested that any citizen who is so bothered, that their best relief would be in calling the police.

PROBLEMS OF SENIOR CITIZENS WITHIN THE COMMUNITY

3:14

Councilman Ehrhardt reported that he had recently attended a committee meeting of the American Association of University Women, who are looking into problems of the senior citizens within our community that are presently not being covered by other senior citizen activity programs. Councilman Ehrhardt apprised Council that Miss Field represented the Recreation and Parks Department at this meeting. Councilman Ehrhardt stated that the group spent several hours in enlightening conversation on this matter and discussed points of interest as raised by this group.

WATER COMMITTEE MEETS

3:23

Councilman Schaffer advised the Council that the Water Committee that was recently appointed by Mayor Pinkerton met on Tuesday, which meeting was held in conjunction with a quarterly meeting of the North San Joaquin Water Conservation District. Councilman Schaffer stated that meeting was most beneficial to all those who attended and

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that the group will continue to meet on water problems relating to the City of Lodi.

NCPA
DEVELOPMENT
FUND

33-114)

Councilman Hughes updated the Council on the status of the proposed NCPA Development fund, stating that no firm action has been taken except that there appears to be a modification in the Development Fund draft as to the number of participants in the "fund". It now appears that about 9 Cities will make up the total sum of the "Development Fund", but that there will be provisions for cities who wish to come in and participate in a given project, but not participate in all projects. Councilman Hughes enumerated on this modification as to its anticipated effect on the "Development Fund" and participating cities.

City Manager Graves reminded the Council that with the prospect of the Cities of Redding and Palo Alto wishing to participate in the special "Auxiliary" membership only, the City's percentage for participation in the "development fund" will be increased.

EXECUTIVE
SESSION

The Council adjourned to an executive session at 10:30 p.m. and reconvened at approximately 10:45 p.m.

REORGANIZATION OF THE COUNCIL

11-6

The City Clerk called for nominations for Mayor. On motion of Councilman Pinkerton, Hughes second, Councilman Schaffer was nominated for Mayor. There being no further nominations, the nominations were closed and Councilman Schaffer was elected Mayor by unanimous vote. On motion of Councilman Ehrhardt, Pinkerton second, Councilman Hughes was then nominated for Mayor Pro Tempore. There being no further nominations the nominations were closed and Councilman Hughes was then nominated for Mayor Pro Tempore. There being no further nominations, the nominations were closed and Councilman Hughes was elected Mayor Pro Tempore.

JUNIOR PLANNER
INTRODUCED

Mr. Kenyon Clark, who was recently hired as Junior Planner for the City of Lodi, was introduced to the Council.

ADJOURNMENT

036

There being no further business, on motion of Councilman Pinkerton, Ehrhardt second, the meeting was adjourned at approximately 10:50 p.m. by Mayor Schaffer.

Alice M. Reimche
Attest: ALICE M. REIMCHE
City Clerk